COURT TAKES THE CASE PROM JURY AND ORDERS ACQUITTAL.

at Received With General Sattefaction -- Domenstration in the Court Room Checked -Family Showered With Congratulations at Their Rotel -Judge Stevens Told the Jury No Case Had Boon Made Out -The Family Makes Public Its Thanks -The Hunt for the Murderers to Be Kept Up-Capt. Titus's Amdavite Regarding the Probable Murderer Ignored by Nicholson.

PITTSPIRLD, July 26. - Thrown out of court by the Judge as not based on evidence that was worthy of a moment's consideration by the jury, the case of the Commonwealth of Massachusetts against Robert Stewart Fosburgh, charged with manslaughter in killing his sister May in August last, came to an abrupt end to-day in just the way it has been predicted it would end ever since the absurd mess of incoherent rubbish which the prosecution called its "evidence" was laid in its entirety before the jury. The feeling that has been rouseby what is regarded as the most astounding persecution ever known in a civilized community of an admirable family, whose terrible affliction might naturally be expected to awaken some traces of sympathy in a Piute Indian, is something indescribable. Mr. W. B. Plunkett of North Adams, who represents one of the most respected families in Massachusetts, and who is the warm personal friend of President McKinley. said this morning just after Judge Stevens had contemptuously kicked the case out of court, that he had no words in which to express his indignation at what he does not hesitate to describe as the outrage upon the Fosburgh family.

I cannot characterize it," he said. "Words of sufficient vehemence are not at my command. It cannot do otherwise than inflict a great injury upon this community, and indeed, upon the State. In fact, as I sat in court during the trial and heard the crier day after day close his proclamations with 'God save the Commonwealth of Massachusetts,' I could not but internally say a fervent 'Amen.' for it would seem that if there ever were a case where such an appeal were necessary it was this present one."

This expression of opinion echoes that of thousands of others of the people of Berkshire county. Even some others, who at the outset were carried away by the current of amazing provincial narrowness which has characterized the remarkable methods applied in this case, began to manifest symptoms of uneasiness as the trial proceeded and as the opera-bouffe absurdity of the "evidence" for the State was developed. The Fosburghs came here to live for the summer months just as hundreds of other well-to-do and refined familles come. The fact that Mr. Fosburgh was engaged in carrying out a large busithe incident which led him to bring his family to Berkshire. Yet the fact remains that they were here only as temporary sojourners, like all other members of the

summer colony. What a more sordid group here began to end, is that the shocking experiences of the Fosburghs may have a tendency to make people stop to consider before mentioning themselves as strangers where such things are possible. Not of course that the fact that a burgiary would have any such effect, for burgiars, like mad dogs, are liable to break loose anywhere. It is the effect of the Fosburgh family's adventures subsequent to the burglary that is dreaded. It is feared that people may reason that if. being comparative strangers here, they have the misfortune to have their homes invaded and murder done at dead of night, of having their names blackened with calumny, as has been the case with the Fosburghs, a member of their family dragged to trial for homicide and all the rest of the household virtually charged

#### with perjury. THE ORDEAL OF THE FAMILY

here are just beginning to realize the wrong which has been put upon a family of refined persons who came confidently among security of an old-settled Massachusetts community. As this comes home to people now that the end has come, they are beginning to marvel more and more at their own yielding to influences which have put them in so false a position.

The actual proceedings connected with the throwing of the case out of court this morning were simple and brief. Mr. Joyner, of counsel for the defence, said at the adjournment of court yesterday afternoon that he would make the motion afternoon that he would make the motion to instruct the jury to acquit the first thing when court began this forenoon. As a matter of fact the motion was made and argued in Judge Stevens's private room in the court house last night. Whether the Judge then announced his decision or whether he held it in reserve until this or whether he held it in reserve until this morning, it is certain that at the open-ing of court to-day nobody in the audience knew with any degree of certainty whether it was to be the oratory of gifted counsel that was to be heard or whether the case was to come clattering down a hopeless wreck about the prosecution's ears. At all events it was fair to presume that something interesting would happen and an audience that densely packed the rather large court room was present. The first impression in looking at the room was of a great rippling sea of feminine summer millinery. The only sombre spot in all the room was the sad-faced figure in deep mourning who all through the trial has sat by the side of the accused— the figure of Mrs. Fosburgh, senior, whose story told on the witness stand yesterday

#### to moved the spectators. THE WAIT FOR THE COURT.

The Fosburghs were all in their accus-tomed places: the friends who have been close to them all through the ordeal were by their side. There was a delay in the opening of court. Judge Stevens, usually punctual to the second, was late. It was a portent of something out of the ordinary, people said Five minutes passed and still the door leading to the Judge's cham-ber remained closed. The jurymen were sil in their seats. If they had a hint of what was coming they did not betray it

The New Jersey Central will run a \$1.50 excursion Mauch Chunk, Glen Onoko and the Switchback Bunday, July 28, children under 12, 75 cents. Perlal train leaves Liberty Street at 8.30 A. M.; Switchback \$0 cents addi-

Expects to Make Bread More Cheaply and Kill

The National Bread Company was incorporated in Trenton, N. J., yesterday its nominal capitalisation is \$3,000,000. The incorporators are Joseph H Strange of Orange, N J, Paul F. Lorder and John Joseph Roach of Jersey City. According to the certificate of incorporation Augustus Van Wyck is the company's attorney.

Those connected with the concern were not very communicative yesterday, but it was said that large capital was behind the company, and that its purpose was to acquire interest in'a large number of the breadmaking concerns in this city, Jersey City and Newark with a view to dividing the territory so as to eliminate competition. The new company is said to control a patent by which hand kneading is done away with, and more bread can be made from a given number of pounds of wheat.

The plan is for the larger company to take over part of the stock of the various take over part of the stock of the various baking companies, giving in return the use of the patent machine. The subsidiary concerns will then go ahead with their bread making in a territory set aside for each, the profits on the stock paid for the patent going to the main company. The subsidiary companies are supposed to get their profits from the doing away with 50 per cent. of the labor formerly used the elimination of competition and the increase in the amount of bread made from the flour.

It was said vesterday that this might be a step toward the formation of a bread trust, not only to control the business in this city, but all over the country. There was some talk about the same plan being put into operation in Chicago and St. Louis.

## SAVS CREDIT IS SAMPSON'S.

Congressman Watson of the Naval Committee

On the Probable Decision in Washington. RICHMOND, Ind., July 26.—Congressman James E. Watson of this district, speaking as a member of the House Committee on Naval Affairs, said he welcomed an investigation of the Sampson-Schley controversy. Owing to his position on the committee Mr. Watson took a hand in the controversy at the time of the last Congress, having been the member of the committee who offered the resolution commending both Sampson and Schley. The resolution died in committee. Mr. Watson discussed the naval fight at Santiago with several officers fight at Santiago with several officers who took part in the engagement, incluing Captains of two of the best-known fighting

captains of two of the best-known ngitting vessels in the navy.

"Lexpect," said he, "that the investigation will be complete, and that in the end the charges of Historian Maclay against Schley will be characterized as too severe. But it will be found that Schley is not entitled to any greater honor and glory than he has received, and that Sampson is the man who planned and directed the battle and that to him, and him alone, rightfully and that to him, and him alone, rightfully belongs the praise and the glory of the

## VACHT CLUB WILL HONOR SCHLEY. Will Be Sainted by Fifty Tachts and Have a

Reception at New Rochelle. NEW ROCHELLE, July 26 .- Admiral Schley expected in New Rochelle to-morrow, where e will be the guest of Commodore Edward Kelley of the New Rochelle Yacht Club on Kelley of the New Rochelle 1 acht Club on the decreto Barracouta. W. A. Murray, a member of the club, received word to-night that the Admiral was coming over from Great Neck, L. I. on Commodore Kelley's steam yacht and that the Barracouta would reach New Rochelle about 3 o'clock in the afternoon. Commodore Kelley and his guest will visit the clubhouse on Harrison Island in the evening, where the yachtsmen of New Rochelle and their women friends will give them an informal reception. will give them an informal reception.

There are about fifty yachts in the harbor making ready for the annual cruise of the yacht club and they will dress ship and salute Admiral Schley.

### SAYS KOCH'S DISCOVERY IS OLD. Prof. Weich of Baltimore Points Out That Dr. Theobald Smith First Made It.

BALTIMORE, July 26 .- "As regards that part of Dr. Koch's paper relative to the dissimilarity between the bovine and the human tuberculosis bacilli, there is nothing new in it. There is nothing, so far as I can see, especially startling in the discoveries which are being exploited so widely, and if it were not for the fact that they have been announced by Prof. Koch, it is probable that they would not have attracted attention. His position as the leading bacteriologist

of the world entitles him to a hearing at any

This statement was made to-day by Dr William H. Welch, professor of pathology at the Johns Hopkins Hospital, President of the Maryland State Board of Health and the newly appointed head of the Rockefeller Institute for Medical Research. He said that the credit for the discovery that bovine tubercle bacillus and the human tuberculosis bacilius were dissimilar should be given to Dr. Theobald Smith of Boston, a member of the Massachusetts State Board of Health, and a professor in Harvard University, who published, in 1898, a most exhaustive paper on the subject in the Journal of Experimental Medicine, of which Dr. Welch

# Uncle Says He Didn't Lose His Mother's Money

and Exaggerated His Own Losses. The family of Samuel S. Cramer, who disappeared from his home at Imlaydale in the town of Junction, N. J., last Saturday, are making every effort to get some trace of him. His trunk has been traced to the Jersey Central station at the foot of Liberty street, but it was taken away from there soon after

W. R. Skinner, a grain commission merchant

W. R. Skinner, a grain commission merchant of 136 Liberty street, who is an uncle of Mr. Cramer, said yesterday that he did not for a moment think his nephew would commit suicide.

"The accounts that I have seen," he said, "have been highly colored. They have made him out as worth more than he actually was. He was a man of sensitive temperament, particularly as regards money matters, and I think it is partly this sensitiveness that has caused him to exaggerate his losses.

"I believe that the family would have set his affairs straight if he had not run away. And I think he will come back after he has had a chance to think the matter over. The report that his mother is left penniless is untrue, as she has ample securities to cover her son's indebtedness to her. Mr. Cramer is 50 years of age and of most exemplary habits.

# at Newport.

NEWPORT, R. I., July 26. For several years there has been hardly a summer that a drowning accident has not occurred off the famous Newport cliffs. It is so far from the Lifeboat Patrol at the beach that assistance cannot be rendered before it is too late. Realizing this Perry Belmont has organzied a lifesaving crew at his estate, By-the-Sea, which is situated about half way between the beach and Rough Point. He has supplied a lifeboat, life buoys and all the necessary implements and placed his gardener in command, the crew being made up of the men working on the place.

# Every Conceivable Luxury is provided on the "Overland Limited," Chicago to San Francisco via Chicago & North-Western, Union Pacific and Southern Pacific Rys. Particulars at North-Western Line Office, 451 Broadway.—Adv.

SECRETARY LONG'S PRECEPT ON IN-STRUCTIONS TO THE COURT.

They Provide For a Thorough Investigation Into Every Phase of the Schley Controversy. but Do Not Limit or Restrict the Scope of the Inquiry-Schley Can Appear in Person or by Counsel to Cross-Examine Witnesses-Capt. Lemly Selected for Judge-Advocate.

WASHINGTON, July 26.-If any of the parties chiefly concerned, including Admiral Sampson and Admiral Schley, find any cause for dissatisfaction in the scope of the Schley court of inquiry, as defined by the precept or instructions to the court, signed to-day by the Secretary of the Navy. the naval authorities will be very much surprised. The precept is really the order for the court to assemble. It provides for the most comprehensive investigation, not only of Admiral Schley's conduct in the war with Spain, but of every circumstance or incident since that time that has been the cause of the accusation or criticism directed at him. And it also gives Admiral Schley the right to say what else there is that he wants investigated, whether the "muttered and murmured" innuendo of enemies to which he refers in his request for an inquiry or the justice of the accusations of Edgar Stanton Maclay, the historian, or the charges made in newspapers that he is a victim of a conspiracy arranged by an alleged naval clique. In fact, the court is told to go into the "entire matter," quoting the words used by Admiral Schley in describing the character of an investigation he desired. The precept speaks for itself. It follows:

INSTRUCTIONS TO THE COURT. To Admiral George Dowey, U. S. Navy, Washington, D. C.:

propriety thereof.

(5). The circumstances attending and the reasons for the disobedience by Commodore Schley of the orders of the Department contained in its despatch dated May 25, 1898, and the propriety of his conduct in the premises.

and the propriety of his conduct in the premises.

(9) The condition of the coal supply of the "flying squadron," on about May 27, 1898; its coaling facilities: the necessity, if any, or advisability of, the return of the squadron to Key West to coal: and the accuracy and propriety of the official reports made by Commodore Schley with respect to this matter.

(7) Whether or not every effort incumbent upon the commanding officer of a feet undersich circumstances was made to capture or destroy the Spanish cruiser Colon as she lay at anchor in the entrance to Santiago harbor, May 27 to 31, inclusive, and the necessity for, or advisability of, engaging the batteries at the entrance to Santiago harbor, and the Spanish vessels at anchor within the entrance to said barbor, at the ranges used, and the propriety of Commodore Schley's conduct in the premises.

(8) The necessity, if any, for, and advisability of, withdrawing at night the "flying squadron" from the entrance to Santiago harbor to a distance at sea, if such shall be found to have been the case; the extent and character of such withdrawal, and whether or not a close or adequate blockade of said harbor, to prevent the escape of the enemy's vessels therefrom was established and the propriety of Commodore Schley's conduct in the premises.

(9) The position of the Brooklyn on the morning of July 3, 1898, at the time of the exit

vessels therefrom was established and the propriety of Commodore Schley's conduct in the premises.

(9) The position of the Brooklyn on the morning of July 3, 1898, at the time of the exit of the Spanish vessels from the harbor of Santlago, the circumstances attending, the reasons for, and the incidents resulting from the turning of the Brooklyn in the direction in which she turned at or near the beginning of the action with said Spanish vessels, and the possibility of thereby colliding with or endangering any other vessels of the fleet and the propriety of Commodore Schley's conduct in the premises.

(10) The circumstances leading to, and the incidents and results of, a controversy with Lieut. Albon C. Hodgson, U. S. Navy, who, on July 3, 1998, during the battle of Santlago, was navigator of the Brooklyn; also the colloque at that time between Commodore Schley and Lieut. Hodgson and the ensuing correspondence between them on the subject thereof and the propriety of the conduct of Admiral Schley in the premises.

The foregoing specific directions are given primarily for the information and suidance of the gourt, but do not limit or restrict the scope of its inquiry into the "entire matter," the investigation of which is asked by the officer concerned.

nvestigation of which is asked by the omcer concerned.

Rear Admiral Schley has been informed of his right to be present, either in person or by counsel, during the investigation, to cross-examine witnessee, and to offer evidence before the court may at any time grant to others interested and entitled thereto like privileges. The investigation will be held in open court. This employment on shore duty is required by the public interests.

Given under my hand, at the Navy Department, Washington, this twenty-sixth day of July, nineteen hundred and one.

JOHN D. Long, Secretary.

Secretary Long was surprised this afternoon when he was asked by a newspaper man why the precept did not specifically mention the attack of Mr. Maclay on Admiral Schley. He said that every point raised by Mr. Maclay was covered in the Instructions to the court, but the investigation was not called to investigate the opinions expressed by Mr. Maclay of Admiral Schley. Secretary Long showed by his remarks that he could not believe there would be any criticism of the instructions. They had been most carefully prepared, he said, and were intended to cover every phase of the subject with which the court had to deal. It was intended, he said, that the court should have the fullest authority to determine the scope of its inquiry, going not only into matters of official record, but into everything that

Special Mountain Train Put On. Leckswanna Railroad's Pocono Mountain Special raves New York every Saturday at 12:30. Arrives fonday morning before business hours.—Adv.

YOUNG FOSBURGH SET FREE | NEW YORK WILL HAVE A BREAD TRUST. | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | Admiral Sobley might desire to have MOBBED NEAR THE SHRINE: | SCOPE OF SCHLEY INQUIRY: | SCOPE OF SCHLEY INQU brought to its attention.

There are several interesting features of the precent which the full meaning of is not disclosed by the formal and technical language used in reference to them. The points laid down by the Secretary of the Navy, partly defining the scope of the inquiry, in no sense resemble counts in an indictment. It is for the court to say wnether there shall be an indictment. The points are merely suggestive. In direct-

points are merely suggestive. In directing the count (paragraph 6) to inquire into the condition of the coal supply of the Flying Squadron and the necessity or advisability of its return to Key West for coal the Secretary calls on the investigating body to determine the "accuracy" of Admiral Schley's report on this subject. In other words, the court must ascertain whether Admiral Schley was truthful in giving his reasons for returning to Key West, and falsehood is regarded as one of the greatest offences in the naval code.

In paragraph 5 reference is made to

In paragraph 5 reference is made to "the disobedience by Commodore Schley of the orders of the Department." This of the orders of the Department." This direct reference to "disobedience," without any qualifying term, such as "alleged," is justified by Admiral Schley's own statement in a telegram to the Secretary of the Navy, dated May 28, 1898, sent from Kingston, Jamaica, explaining why he was obliged to return to Key West.

to return to key West.

"Much to be regretted," he said, "cannot obey orders of Department."

The failure of Admiral Schley to approach nearer than a distance, said to be 7,000 yards, of the Spanish armored cruiser yards, of the Spanish armored cruiser Cristobal Colon as she lay at anchor and with engines uncoupled at the entrance to Santiago Harbor, is to be investigated paragraph 7), and the court is to determine the propriety of Admiral Schley's conduct in the premises. That the Cristobal Colon was at anchor with her engines uncoupled was shown by her log, afterward captured. The distance at which Admiral Schley placed his ships to fire at the Colon and the Santiago batteries was 7,000 yards, but official reports from commanding officers of vessels of the Flying Squadron say that the range was sometimes 9,500 and 11,000 the range was sometimes 9,500 and 11,000

yards.
The "loop" made by the Brooklyn in

Affairs Committee, defending himself against the accusations brought by the Navy Department, Admiral Schley said the Navy Department, Admiral Schley said the "loop" was ordered to prevent the Brooklyn from blanketing the fire of the other American ships, and that by making the turn the other vessels were enabled to continue their fire without cessation and thus win the battle. The published report of the colloquy makes Schley give the "loop" order because the Brooklyn was getting too near to the Spanish ships. The question of the truthfulness of his statement to the Senate Committee is not only raised, but also the question of his reason. raised, but also the question of his reason for ordering the "loop," whether to keep

for ordering the "loop," whether to keep the Brooklyn from approaching too close to the enemy or to prevent her from blanketing the fire of her allies.

There was a mistaken impression among newspaper men at the Navy Department to-day, after the precept had been issued, that the colloquy was not a matter of official record and therefore should not have been included in the precept as a subject. cial record and therefore should not have been included in the precept as a subject for investigation. The colloquy became a matter of official record two years ago when the publication of the letter of denial from Lieutenant-Commander Hodgson to Admiral Schley was followed by a published statement of Lieutenant-Commander Palmer, navigator of the Texas, that Hodgson had recited to him the colloquy substantially as printed. A question of veracity affecting a naval officer having thus appeared in the public prints, the Navy Department ordered an investigation. Both Officers Hodgson and Heilner were attached to the North Atlantic station, and Rear Admiral Sampson, Commander-

were attached to the North Atlantic station, and Rear Admiral Sampson, Commanderin-Chief of that station, to whom the matter was referred, directed Capt. Chadwick, his Chief of Staff. to make the inquiry.

He examined Hodgson and Heilner and secured statements from them. Heilner and Hodgson told him the story of the collequy, and Hodgson acknowledged that the collequy had taken place and that he had in an accompanying letter to Admiral Schley explained that the note of denial was meant to apply only to the literal and not the substantial accuracy of the collequy as printed. These statements in Capt. Chadwick's report are on file in the Navy Department.

Department.
The selection of Capt. Lemly, the Judge Advocate General of the navy, to be Judge Advocate of the court was formally announced this morning. Secretary Long has nad no letter from Admiral Kimberly asking to be excused from serving on the court. In addition to the names of Rear Admirals Luce and Ramsay, previously mentioned, the name of Rear Admiral Gherardi, rethe name of Rear Admiral Gherardi, retired, who resides in New York, will be considered for assignment in place of Admiral Kimberly should the latter be excused. It is known that the name of Commodore McCann, retired, a resident of New Rochelle, N. Y., will be considered also in that event. The Department desires to have on the court officers of higher or equal rank than Admiral Schley, but under the regulations it is permitted to take officers for court duty who are junior in the grade to the officer on trial or under

officers for court duty who are junior in the grade to the officer on trial or under investigation if a sufficient number of seniors cannot be assembled. As Commodore McCann has been retired, he would probably be acceptable to everybody concerned. He is 71 years old.

The reason for the direction to the Court of Inquiry to make recommendations was a subject of comment at the Navy Department, in view of the fact that there could be no further action against Admiral Schley or any other officer, the events to be investigated all having occurred more than two years ago and therefore are covered by the Statute of Limitations regarding trials by court martial and punishments. It was explained at the department that while court-martial proceedings could not be recommended, the Court of Inquiry might thave suggestions to make not barred by the Statute of Limitations. the Statute of Limitations.

PLACARD BEARERS SET UPON BY VEN-ERATORS OF ST. ANNE'S RELIC.

orthopadic Shoemaker's Offer of Reward for Authenticated Cure Angers Crowd-Ne groes Barely Escape With Their Lives Jam About Relic - Many Cures Reported.

An orthopædic shoemaker named Ignaius Custar sent word to all the newspapers resterday that he was going to send two men to the Church of St. Jean Baptiste, where the relic of St. Anne is on view, bearing placards with this announcement:

\$100 RRWARD.

To the Church of St. Jean Baptiste. East Seventy-sixth street. I will pay the above sum for every case proved to me irrefutably by its Synodus that the relic of St. Anne, now enshrined in said church, has cured persons afficted with bodily shortcomings.

DR. I. CUSTAR.

Three o'clock came, but the men with the placards did not. At half past a o'clock man oums along distributing handbills with an announcement similar to the one promised on the placards. The handbills created some disturbance when he was within hundred yards of the church, and a policeman found out what he was doing and chased him up Third avenue. It is against the law to distribute handbills in the street.

At about half-past 5 the placard-bearers appeared. They were both negroes and they carried the placards on long poles. The first one entered Seventy-sixth street from Third avenue, and in two minutes was sur rounded by a crowd of jeering boys and half-grown men. They rushed at him and he jabbed at them with the butt of his placard staff. Then small boys ran up behind him and tried to snatch the placard out of his hold. The noise attracted the attention of some of the women who were leaving the church. They seemed to become furiously angry. One of them elbowed her way into the crowd about the colored man, who was

the range was sometimes 9,500 and 11,000 course, the range was sometimes 9,500 and 11,000 course, the course of the second of the second of the course of the second of the second of the second of the court will be received by the other of the second of the court will the received by the other of all the open the other will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other of all the open the out will report its received by the other will report its received by the other of whose attention is specifically directed as follows.

While the Department relies upon the other out will be one of the investigation of the livest will continue the out will report its received by the other of all the open the out of the ou

There was a slight scare at the church late last night because Father Nolin, who knocked on the door of the room where the collection money was being counted, could get no answer from those who were countand became convinced that there were thieves in the room. He ran downstairs and called

the police. There was a great disturbance for a minute or two, but it was ended when the door was opened and it was seen that those who were counting the money were those duly authorized to do so.

Yesterday was the Feast of St. Anne and the last day of the novena at the Church Great throngs of people were at the church all day to venerate the relic of St. Anne and to seek the aid of the relic in curing their ills or those of their children.

The labors of the priests who were displaying the relic for the veneration of the multitudes began at daybreak yesterday morning. At that time there were not a few working people who could not come later in the day and who besought the priest to bring out the relic to them that their children might be healed. The number of those who came constantly increased until at half past 7 o'clock the priests were very glad of the arrival of a squad of Capt. Brown's policemen from the East Sixty-seventh street the better the verter westerner.

of the arrival of a squad of Capt. Nownpolicemen from the East Sixty-seventh street
station.

There were three priests in the basement
of the church yesterday. Each of them had
one of the fragments of the relic. One stood
at the altar rail of the chapel and one at each
of the windows at the sides of the chancel.
Outside these windows on the flagged areaways were crowds of people, even greater
than those in front of the church. The
police stood guard at the iron gates at
the sidewalk enfrances to the areaways
on each side of the church and saw
to it that dangerously large numbers of
people did not enter at one time. But even
then the small spaces were filled almost to
suffocation.

As each deformed person was assisted
forward to the presence of the priest who
was exhibiting the relic, the priest held the
case in his hand up so that all might see it,
and then led the people in repeating this
formula:

"Dear St. Anne, hear our prayer! Good
St. Anne, help this poor girl!"

Then the relic was held down within the
sufferer's reach so that she might touch it
and kiss it. The priest would usually add a
few words of advice as to the special devotions
which the sufferer should undertake. During
all the time that the sufferers were venerating
the relic there was a constant hum of partly
audible prayers in the nave of the chapel and
in both of the courts.

There were many cases which came under
the observation of those who stood before

the retic there was a constant num of party and bile prayers in the nave of the chapel and in both of the courts.

There were many cases which came under the observation of those who stood before the church yesterday, in which it was clear that the faith of the parents and their overanxiety for their little ones led them to overanxiety for their little ones led them to overastimate the strength which had been gained. From 4 o'clock until 5 yesterday afternoon a man and a little girl stood in the centre of a dense crowd in Seventy-sixth street.

Men and women came up and shook him by the hand and congratulated him on the cure of the child and asked her where her crutches were, and laughed when she said shyly, that she had laid them on the altar inside. Some of these who offered their congratulations asked where the girl's mother was and the man explained that the mother had gone back into the church to make a special prayer of thanks for the girl's recovery. The girl was about 11 years old and clung close to her father's arm. Policemen pushed their way into the circle about the two and pointed the little one out to persons whom they had heard expressing sceptic opinions in passing through the street. After a while the mother returned and the three started away together. Then it was seen that the girl's left leg was so drawn up that she could barely touch her toes to the ground and then only by an effort that nearly made her lose her balance at every step. With every step, too, her face contracted with pain.

every step, too, her face contracted with pain.

There was another little girl, Helen Nelson, whose parents live at 188 East Ninety-eighth street. The nerves of one of her legs were paralyzed when she came to the church and she walked with the leg in a steel support. When she came out they said that she was cured, and she was without the support But it made those who looked at her wince to see the effort with which she walked. Her friends said, however, that she was a great deal better than she had been, and that it was foolish to expect everything to come at once.

Good at all seasons, but especially healthful and delicious during the summer season—Poland Water.

Car loads received daily at 3 Park Place, City.—Ads.

enjoyed on the Hudson River Day Line.—Ads.

# Four Lawyers in Clarksville, Tenn., Use Platek and Three Are Wounded

NASHVILLE, Tenn., July 26.-A consationa shooting affair, in which four members of the Clarksville bar were concerned, occurred in the Chancery Court room at the Clarksville Court House to-day. The principals were William Daniels, Jr., and F. G. Gilbert George Gilbert and William M. Daniels, Sr. came involved by taking sides. Not les than fifteen shots were fired. All of the men. except William M. Daniels, Sr., were armed and expecting trouble, which was precipitated over a lawsuit. in which William Dantels, Jr., and F. G. Gilbert were opposing counsel. After the trial of the case, William Daniels, Jr., and F. G. Gilbert stood at the opposite sides of a table. Daniels referred to statements made by Gilbert in the trial and both indulged in personalities.

Gilbert reiterated a statement to which Daniels made some reply that caused Gilbert either to strike him or strike at him with an imbrella. Daniels drew a pistol and fired twice at Gilbert, who also drew a pistol and returned the fire. In the fusillade William Daniels, Sr., who was in an adjoining room hurried forward to prevent further trouble As he entered the room George Gilbert, brother of F. G. Gilbert, aimed his pistol a William Daniels, Jr. The elder Daniels grappled with George Gilbert and wrested the pistol out of line with his son, receiving imself in the neck the ball intended for the

After the battle the net casualties were shown to be: William Daniels, Jr., shot in the top of the head. flesh wound, and also in the left arm: William M. Daniels, Sr., flesh wound on left side of throat; F. G. Gilbert, shot in the left arm and through the right hand. The walls, chairs and furniture in the room show the marks of ten bullet holes.

## SHOT AT AN INITIATION A Joke in Which Two Bullets Played a Part

Victim Wounded Seriously. RICHMOND, Va., July 26 .- As the result of practical joke L. F. Chappell, a well-known eattle dealer, lies at a hospital in this city with a bullet hole through his body, just over the heart, and another in his left thigh Horace H. Howard and Lyn Chesterman are in the county jail, charged with attempt ing to kill Chappell.

The story, as told by the prisoners, is that they belonged to a certain circle which has a hard and fast rule that all the latest recruits must be initiated. Chappell was the last comer, and last evening he was induced to scoompany Howard, Chesterman and several others to a place outside the city limits.

Suddenly, at a preconcerted signal, all fired pistols that they carried into the air and rushed away, leaving Chappell alone They said that they did not know he was hurt until they were arrested to-day. cattle dealer, with two wounds in his body managed to walk to his home, a distance of three miles, whence he was taken to the hospital unconscious.

He recovered consciousness to-day sufficiently to tell the names of his assailants and to aver that he could not see any joke in what had taken place. On the contrary, he expressed the belief that he had been lured away to be killed, and declared that money had been taken from him after he was shot Howerd is a well-known grocer said the other young men implicated afterwall known. Their version of the affair is believed to be the true one.

# GIFT OF \$95,000 TO YALE. Mrs. John S. Newberry to Build an Organ for

the New Memorial Hall. NRW HAVEN, Conn., July 26 -Two authorities of Yale University to-day. gift of \$25,000 has been promised by Mrs John S Newberry of Detroit, Mich., for the construction of Newberry memorial organ in the Yale Memorial Hall. The organ is to be one of the finest in America. The con-struction of this organ will add greatly to the facilities of the musical department, which under Profs. Horatio W. Parker and Samuel S. Sanford has already attained a position of prominence in this country. The organ will be in the south end of the Memorial Hall. Mrs. Newberry's son was graduated from the Sheffield Scientific School in the class of '85.

The second announcement is to th that Donald G. Mitchell (Ik Marvel) of the class of '41 has consented to deliver the address at the dedication of Woodbridge Hall, the new administration building, at the time of the bicentennial celebration. Mr.

# REVENGE OF SHIRT-WAIST STUDENTS.

CHICAGO, July 26. Students of the Uni versity of Chicago who have adopted the shirt waist as the proper costume in hot shirt waist as the proper costume in hot weather, thereby arousing the indignation of the "co-eds," are seeking revenge. They have been boycotted by the female part of the student body and they are now quietly laying plans to surprise the "co-eds." They have decided to boycott the fair sex in a manner calculated to make their heads swim. If the girls are desirous of maintaining peace on the campus with the boys they must wear long skirts and necktles and must keep their sleeves down.

In this movement the male students are urged on by Prof. Starr, who says the boys are entitled to as much comfort as the girls. If both sides refuse to give in it may be that the co-eds and students will pass without speaking.

# SISTER SHADOWS HIM. HE SAYS. She Wants Money to Bet On the Races, Though She's Lost \$1,500.

James J. McGillen, a contractor and builder James J. McGillen, a contractor and builder at 392 West Broadway, went to the East Thirty-fifth street police station last night and asked that his sister be restrained from following him in the street, asking for money to bet on the races and making a fuss when she didn't get it.

The man's sister had followed him to the police station, but when he turned in under the green lights she ran away. McGillen said that in six months his sister had lost \$1,500 of his good money on the horses and that he had been obliged to give up his flat at 238 East Thirty-fourth street and live in a Third avenue hotel.

The sergeant referred McGillen to a Magistrate.

NEW ROCHELLE, July 26 - Mayor Dillon and dance in the open air at his park on the outskirts of the city. The guests were mem-bers of the Woman's Branch of the Foresters of America, who recently initiated the Mayor into their lodge. Mayor Dillon, who weighs 550 pounds, made a speech, after which he and Mrs. Robert McCandless, the chief ranger, led the way to a big platform where they opened the dancing. Mayor Dillon will be a candidate again this fall and the dance is re-

#### garded as the opening gun of his campaign Dog Swims Twenty Miles.

BENTON HARBOR, Mich., July 26 -An English setter dog belonging to W. C. Hovey, was stolen on Wednesday evening and taken on a boat bound for Chicago. When in mid-lake he gnawed the ropes attached to him and jumped into the water. After swimming at least twenty miles and probably more, the dog arrived home at noon yesterday. He was very hungry, but did not appear exhausted.

Millions of bad colds have been cured with JAYNE'S EXPECTORANT.—Ado.

# BIG BRIDGE IS MENDED

AND ENGINEER MARTIN TELLS HOW THE BREAK OCCURRED.

Heat Didn't Cause It -Flaw or Maybe Rust for One Red Did, for One Broken Red Mede Many -New Crack Found, but It Docen's Count -Cars Running as Usual, and Brooklyn Glad of It -Sexton and Philbin Take & Hand -Eclipse of Col. Tabasco Probasco,

The Brooklyn Bridge was reopened to the usual and ordinary traffic after 7 o'clock yesterday morning, and before 10 o'clock another break was discovered. The reopening of the Bridge was much more important than the new break.

As described by the Chief Engineer of the Bridge, C. C. Martin, the new casualty consists of "a slight crack in one of the plates on which the trunnion of the trunnion block rests." Mr. Martin says this new break no more affects the stability of the Bridge than a crack in a railroad tie affects the safety of a railroad.

Mr. Martin told a reporter of THE SUN on Thursday night, although he refused at that time to be quoted, that the Bridge would be open for the usual traffic at ? o'clock yesterday morning. The chief engineer was better than his word and any old thing on wheels that wanted to go over the Bridge as early as 6:30 o'clock resterday morning was accommodated.

The Brooklyn Rapid Transit systems however, did not make use of the structure during the early rush hour. There was reason for this. It was announced on Thursday night and printed in the papers yesterday morning that the Brooklyn surface cars would run to the ferries as they had the morning before. This announcement having been made, the company did not want to change its programme at one of the busiest times of the day. Consequently, the surface cars in Brooklyn, from 5 A. M. until 10 A. M., ran to the ferries. After that they went over the Bridge and followed the good old handy route to Manhattan the rest of the day. So, last evening, people with homes in Brooklyn got there by the usual Bridge

connection. There was no formal announcement that the Bridge would be open yesterday morning, but the drivers of all horsedrawn vehicles which appeared in the vicinity of the Bridge entrances after 6 o'clock were told that the structure was all right and that they could go across if they liked. The late-coming truck farmers from Long Island and other truckmen were enthusiastic, and they threw a lot of bouquets at whoever was responsible for the quick repairs.

The man who was really responsible for the early resumption of business was the chief engineer of the structure, C. C. Martin. As was told in THE SUN yesterday. Mr. Martin arrived at his office, 179 Wash-Ingree street, Brookhyn shortly before his subordinates to his office by telephoneytelegraph and special messengers, and in less than an hour the men for whom he hadsent had reported and the chief engineer knew the general situation. Then he looked over the ground himself and soon was purchasing enough steel rods to take in the Bridge. Fortunately, these rods are of a standard size, so they can be found in the stock of any well-equipped dealer in finished steel.

The broken Bridge rods had already been removed and taken to the repair shop. The lower ends of these broken rods were welded to pieces of new rods, and the upper ends of the welded combination of the old and the new were prepared for adjustment to the big north cable. It may be stated that the welding of steel adds to its strength.

As fast as a rod was prepared for implacement it was sent over to the gang of work.

ment it was sent over to the gang of work-men waiting for it where the break had occurred and was put in place as quickly as possible. The mechanics worked with enthusiasm, because they knew that their chief expected them to distinguish them-selves in the matter of quick repairing, and so the last rod was put in place shortly after 6 o'clock yesterday morning. Then the finishing touches were put on the work and by half past 6 the Bridge, according to those who repaired it, was as good as it ever had been.

After Chief Engineer Martin had com-pleted the work of directing and over-seeing the repairs, he turned his attention

to drafting a report of just what had hap-pened to the Bridge for the information and guidance of Bridge Commissioner Shea. In this report Mr. Martin tells exactly what happened to the Bridge and just what caused the break.

Mr. Martin's explanation of the cause of

the accident is quite different from that given by Col. Tobasco Probasco, the chief engineer of the Department of Bridges and assistant chief engineer of the Brooklyn Bridge. Col. Probasco said that the break Bridge. Col. Probasco said that the break in the suspender rods and bands was due to the natural expansion of metal in very hot weather. Mr. Martin says, in substance, that heat had nothing to do with the breaking of the rods. Col. Probasco said that the suspension rods were rigid and immovable. Mr. Martin's report is not other respects Mr. Martin's report is not calculated to please Col. Probasco.

When Col. Probasco's attention was called to Mr. Martin's report, the Colonel was hot, as might be expected. He said he didn't have anything to say about anything; didn't have any opinion about anything to say about anything; didn't have any opinion about anything to say about anything; didn't have any opinion about anything to say about anything; didn't have any opinion about anything to say about

didn't have anything to say about anything; didn't have any opinion about anything; and wished the Bridge and the people who own it were in some particular locality where they wouldn't bother him. Then Col. Tobasco closed the wire netting door of his office, slammed the big wooden door upon it and was dead to the world for the rest of the day.

This is Chief Martin's report:

BROOKLYN, July 25, 1201.

This is Chief Martin's report:

BROOKLYN, July 25, 1901.

How John L. Shea, Commissioner of Bridges. Dear Sir. I beg leave to make the following report upon the broken suspender rods and cable bands.

Around the cables are placed steel cable bands which are 5 inches wide and ½ inch thick. These are placed at a horizontal distance of 7½ feet apart. Connected to these, near the centre of the main span of the Bridge, on each cable, are 2½ inch steel suspension rods; all of the other suspenders on the main span are made of steel wire ropes 1½ inches in diameter.

The object of these suspender rods and ropes is to connect the transverse girders of the floor system of the Bridge to the cables, which ultimately carry the weight of the Bridge with its load.

On Wednesday afternoon, July 24, it was discovered that seven of these suspension rods and two cable bands were broken, and traffic on the easterly half of the Bridge was suspended. On account of the Expansion and contraction of the trusses of the Bridge, there is a longitudinal maximum movement at the slip joints of about seven inches, and as this movement takes place in the truss, to which the floor beams and the lower ends of the suspender rods are attached, and does not occur in the cable to which the upper

not occur in the cable to which the uppe Underberg-Boonekama-Bitte.s.

For all summer stomach traubles -A r. The best route from New York to Buffelo is the New Perk Central. A wain every hour.—Adv.